

REMARKS

The claims in this case were restricted into two Groups. Applicants have provisionally elected Group I, Claims 1-15. The Restriction Requirement is traversed.

For restriction to be proper, a burden must be placed on the Office in examining all claims. Applicants respectfully submit that even assuming the compositions and methods in the two Groups are materially different, the search for these compositions and methods would occur in the same classes/subclasses given the fact that the Group II compounds are the compounds used in the Group I methods. Thus, the same classes/subclasses would be searched because the same compounds are relevant to Group I and Group II claims -- no burden would be placed on the Office in searching and/or examining all claims together. Accordingly, the Restriction Requirement is traversed.

Moreover, Applicants have provisionally elected, for initial search and examination purposes only, the compound of formula Ia. However, the election of species requirement is traversed.

The reason underlying the designation by the Office of the different compounds as being patentably distinct is not explained in sufficient detail or by example, and as such represents only a conclusion. Accordingly, division of these species is unsupported and improper.

Moreover, Applicants respectfully submit that even assuming for the purposes of argument that the compounds are materially different from each other, the search for all these compounds would occur in the same classes/subclasses due to their structural similarity. Thus, no burden would be placed on the Office in searching and/or examining all of the compounds together. Accordingly, the Election of Species Requirement is traversed.

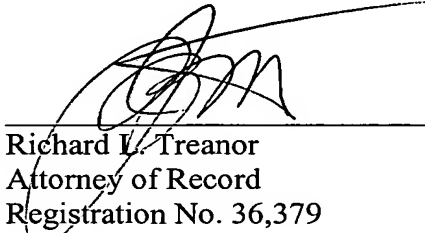
Application No. 10/670,327

Response to Restriction Requirement dated August 5, 2005

Applicant respectfully submits that the above-identified application is now in condition
for examination on the merits.

Respectfully submitted,

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